



*Reading File*

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

July 18, 2008

Barry Franklin  
Federal Aviation Administration  
San Francisco Airports District Office  
831 Mitten Road, Suite 210  
Burlingame, CA 94010-1303

Subject: Draft Environmental Impact Statement for Proposed Replacement General  
Aviation Airport, City of Mesquite, Clark County, Nevada (CEQ# 20080186)

Dear Mr. Franklin:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act.


We appreciate the opportunity to provide input during the development of the Draft Environmental Impact Statement (DEIS). We note that on February 20, 2005, EPA previously provided formal scoping comments for this Project which included recommendations for assessing water and biological resource concerns for a project of this nature as well as other key resources.

EPA is concerned that the DEIS eliminated certain alternatives from further consideration based on a narrow Purpose and Need statement. We raise this concern because alternatives with potentially fewer environmental impacts were screened from detailed evaluation in the DEIS. Further, EPA has concerns regarding air toxics impacts, jurisdictional waters of the United States impacts, biological and wildlife impacts and indirect impacts associated with the proposed replacement airport site and future non-aviation use of the existing site. For these reason, we have rated the Draft EIS as *Environmental Concerns – Insufficient Information* (EC-2). Please see the enclosed "Summary of EPA Rating Definitions."

Additionally, to further reduce potential air quality impacts from operations and construction at a General Aviation Airport near Mesquite, EPA recommends that the Federal Aviation Administration (FAA) and the City of Mesquite identify and implement additional design features and mitigation measures for the proposed project. These voluntary measures will minimize health impacts to workers and the surrounding communities and set a positive example for future airport expansion projects. Our specific recommendations are provided in the enclosed detailed comments.

We appreciate the opportunity to review this DEIS. When the Final EIS is released for public review, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me or Tom Plenys, the lead reviewer for this project at Plenys.Thomas@epa.gov or (415) 972-3238.

Sincerely,

*FOR*   
Nova Blazej, Manager  
Environmental Review Office

cc: Jim Crisp, Bureau of Land Management  
Juan Palma, Bureau of Land Management  
Lewis Wallenmeyer, Clark County Department of Air Quality and  
Environmental Management  
Brad Hardenbrook, Nevada Department of Wildlife  
Mike Jewell, U.S. Army Corps of Engineers  
Cynthia Martinez, U.S. Fish and Wildlife Service

Enclosures: Summary of EPA Rating Definitions  
EPA's Detailed Comments

### **Purpose and Need and Relationship to a Range of Reasonable Alternatives**

EPA is concerned that the Purpose and Need statement in the Draft Environmental Impact Statement (DEIS) may have prematurely eliminated alternatives from further analysis (e.g. non-aviation alternatives). An appropriately defined Purpose and Need Statement should ultimately inform the range of alternatives and subsequent analysis and sufficiently justify the need for the project itself.

Pages S-8 and S-9 identify three project objectives. The objectives form the basis of the project's statement of Purpose and Need, specifically, to (1) provide sufficient land area to develop and protect functional on-airport land uses and facilities, (2) accommodate existing and projected aviation activity demand without operational or safety restrictions and (3) provide a change of land use at the existing airport to a non-aviation use (i.e., residential). The manner in which a DEIS presents a project's Purpose and Need under the National Environmental Policy Act (NEPA) defines which alternatives are considered as reasonable, and thus fully evaluated in the DEIS. The Council on Environmental Quality's (CEQ) Regulations state that an EIS shall "rigorously explore and objectively evaluate all reasonable alternatives...." (40 CFR Part 1502.14). Further, CEQ requires that EISs should "include reasonable alternatives not within the jurisdiction of the lead [Federal] agency."

It appears that certain alternatives were dropped from further consideration as they did not satisfy the Purpose and Need of the project. Specifically, Alternative 2 (Other Modes of Transportation) was dropped from further consideration as FAA determined the alternative "would not meet the sponsor's purpose and need for the Proposed Project..." and "...would not provide an airport site with sufficient developable land area to support the growth of general aviation in the Mesquite region..." (at S-14). Similarly, Alternative 3 (Use of Other Area Airports) was determined "not reasonable because the City has no authority to implement improvements at other airports needed to meet FAA's criteria nor have these airports expressed any interest in expanding their facilities to accommodate Mesquite aircraft or operations" (at S-15).

A Federal court case addressed reasonable alternatives that must be fully evaluated under NEPA, and the extent to which alternatives achieving some (but not all) of a project's purpose and need are viewed as "reasonable." Concerning an EIS prepared by the Federal Highway Administration in California, the 9<sup>th</sup> Circuit U.S. Court of Appeals ruled,

"Each of the alternatives considered in the Final Environmental Impact Statement (FEIS) achieved the project goals, from traffic delay to safety to environmental impact, in varying degrees. No one alternative fulfilled all the goals completely....These proposals [alternatives analyzed in the EIS] span the spectrum of "reasonable" alternatives and satisfied the requirements of the National Environmental Policy Act."

(*Carmel-by-the-Sea v. U.S. Department of Transportation*, 123 F.3d 1142 (9<sup>th</sup> Cir., 1997) at p. 1159).

The DEIS does not appear to clearly evaluate if an alternative routing of a *portion* of future operations to St. George Airport (SGU) and/or other airports in the region was considered by FAA, if such a scenario could meet one or more of the project's objectives and if such a scenario could potentially avoid the need for an entirely new airport. The DEIS indicates that a relocated SGU, scheduled to being operations in 2010, would provide sufficient runway length and landside facilities (at S-16). A focus of particular concern to EPA is whether environmental impacts can be reduced via a comprehensive regional approach to meeting transportation demands in Southern Nevada, Arizona and Utah. Similarly, it does not appear that the DEIS clearly evaluated whether other non-aviation modes of transportation in combination with existing airports could meet one or more of the objectives for this project.

Further, the DEIS explains that the need for the proposed project, in part, is due to the need for a longer runway to accommodate future aircraft fleet mixes. If this is in fact the case, it is unclear how future aircraft operations in Alternatives 6 and 7 would be the same as the No-Action Alternative as described on page 5-4. The FEIS should clarify whether or not runway length truly is a 'need' in accommodating future air traffic and the analysis should be updated as appropriate.

**Recommendations:**

- FAA's environmental document should address whether an alternative involving a combination of airports in the region is capable of meeting one or more objectives for this project.
- The FEIS should take a "hard look" at whether an action alternative diverting a *portion* of operations to other aviation facilities or through other modes of transportation can meet some of the Purpose and Need, consistent with *Carmel-by-the-Sea*.
- The FEIS should address the applicability of *Carmel-by-the-Sea* in presenting the action alternatives for this project.
- The FEIS should reconcile statements in the DEIS that other airports in the region cannot meet this project's objectives, even though information in the DEIS indicates that the use of the SGU could present opportunities to meet elements of the Purpose and Need.
- The FEIS should clarify whether the No-Action Alternative can in fact accommodate the same future forecasted aircraft operations as Alternative 6 and 7. Pending the result of this discussion, analyses should be updated as appropriate.

**Integration With Transit and Transportation**

Given that the proposed replacement site will be in a non-urban setting, integration of the proposed facilities with transit and transportation opportunities should be evaluated. The FEIS should identify all transportation improvements proposed to provide access to the

proposed facility from population centers, including transit service.

EPA recommends that, if ultimately a new airport is constructed, the construction of the new facilities include effective and easy opportunities for transit between Mesquite and the airport. EPA recommends that transit options are available from the first day the airport opens, rather than planning on incorporating transit or other alternatives at a later stage.

**Recommendation:**

- The FEIS should discuss proposed methods to provide transit options between population centers and the airport (for example, bus service from the airport to major tourist destinations).

**Air Quality**

Although the analysis and discussion of air quality impacts is generally well done, EPA recommends that the FEIS include a map of Southern Nevada and neighboring states which clearly indicates non-attainment areas for all criteria pollutants. Given other parts of Clark County are out of attainment for particulate matter (PM), carbon monoxide and ozone, such a map will give better context for the proximity of such areas in Nevada and neighboring states to the project site.

**Recommendation:**

- The FEIS should include a map of Southern Nevada and neighboring states which clearly indicates non-attainment areas for all criteria pollutants.

*Air Toxics*

The quantification of air toxics emissions, provided in Appendix C, could be useful for determining the potential for adverse air toxics impacts as a result of the proposed project. However, the DEIS does not attempt to characterize these results in Appendix C and only minimal mention of the analysis is provided in Section 5.1.

**Recommendations:**

- Create sub-sections in the air quality sections (4.2 and 5.1) entitled "Air Toxics."<sup>1</sup> In Table 4.2-1 and in the Air Toxics section of 4.2, acknowledge that aircraft, ground service equipment, fuel operations, ground access vehicles, and construction activities may be significant sources of air toxics. Specifically with respect to aircraft, highlight that tetraethyl lead is an additive in avgas, and that avgas fueled engines may be a significant source of lead emissions.

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<sup>1</sup>The terminology of "air toxics" is preferable to the documents use of "hazardous air pollutants" or "HAPs," since HAPs technically only refer to a subset of air toxics emitted by stationary sources regulated under Section 112 of the Clean Air Act.

- Note in the FEIS that lead can damage the nervous system, kidneys, and reproductive system and is especially a concern for exposure to children.
- With respect to ground support equipment, note that it may be a significant source of diesel engine exhaust, characterized as a likely human carcinogen by EPA.

Of all the air toxics emissions, the highest predicted emissions are for lead and diesel PM. Both of these species are highly toxic. While significance of the emissions is difficult to determine without dispersion modeling, if the airport were considered a stationary source, these emission levels would be classified as “major” under Section 112 of the Clean Air Act, i.e. greater than 10 tons/year of a single air toxic or 25 tons/year of a combination of air toxics. In terms of potential air quality impact, the project might actually result in a substantial environmental benefit, however, since the emissions may be moved from the existing airport, which is in close proximity to residences, to a more remote future airport. The potential for environmental benefits and the need for compatible land uses around the future airport location should be discussed within the FEIS.

**Recommendations:**

- In Section 5.1, provide information on the total lead and diesel PM emissions for 2006, 2009, and 2014 for all project alternatives.
- Discuss the sources for each pollutant and whether the emissions are significant.
- Discuss the role of proximity of emission sources to those that may be exposed and, given the sources, qualitatively identify areas with potentially higher lead and diesel PM impacts for both the existing conditions and build scenarios.
- If the build scenarios for the design of the new airport may have a beneficial reduction in impacts, discuss that in Section 5.1. The lead agency should describe how it is working with other partners, especially those with land use authority, to ensure that there are compatible land uses in the areas of highest potential impact in the vicinity of the proposed airport. Specifically, future infrastructure development planned in close proximity to the new airport should be designed to minimize impacts to sensitive receptors (i.e. not placing residential, hotel, or high-use areas next to the new airport facility).

There appears to be an error in the calculation of lead emissions from avgas-fueled engines, provided in Tables C-14 through C-20. The 2006 lead emissions were 27.2 tons/year, which is what would be expected based on emissions studies for other general aviation airports. The emissions for future years, both build and no-build, however, showed a dramatic decrease in lead emissions, down to 0.03 tons/year in 2009 and 2014. This decrease was not explained.

**Recommendation:**

- Determine whether the predicted lead emissions are correct. If correct, explain the decrease in lead emissions between 2006 and 2009. If incorrect, adjust Tables C-14 through C-20. Provide justification to support the values presented.

## *Mitigation*

Given the potential for a completely new general aviation airport in Mesquite, there are substantial opportunities for FAA and the City of Mesquite to serve as a model for future airports and to minimize the potential impacts from airport and project-related impacts through project design and a comprehensive mitigation package covering both operations and construction at the airport. The DEIS states 'mitigation measures are not warranted' (at 5-4) because the study area is an attainment area. Council on Environmental Quality addressed this issue in 40 Most Asked Questions Concerning CEQ's NEPA Regulations:

*The mitigation measures discussed in an EIS must cover the range of impacts of the proposal. The measures must include such things as design alternatives that would decrease pollution emissions, construction impacts, esthetic intrusion, as well as relocation assistance, possible land use controls that could be enacted, and other possible efforts. Mitigation measures must be considered even for impacts that by themselves would not be considered "significant." Once the proposal itself is considered as a whole to have significant effects, all of its specific effects on the environment (whether or not "significant") must be considered, and mitigation measures must be developed where it is feasible to do so. Sections 1502.14(f), 1502.16(h), 1508.14. (Question 19a, Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations, 46 Fed. Reg. 18026 (March 23, 1981))*

EPA recommends that FAA and the City of Mesquite identify mitigation measures that would decrease pollution emissions and construction emissions, consistent with the above CEQ Guidance, at the existing or proposed replacement airport. Specifically, we recommend that FAA and the City of Mesquite implement the following operational and design improvements to the greatest extent feasible and commit to these in the FEIS:

### *Operational Mitigation Measures*

- Electrify and provide pre-conditioned air at all gates, in order to reduce auxiliary power unit (APU) emissions from aircraft.
- Use green building design with energy efficiency features for new and existing buildings. Optimize energy efficiency, including thermal efficiency, through building design and improvements, establishing efficiency goals and verifying energy reductions.
- Use low volatile organic compound (VOC) emission paints and cleaning products.
- Increase the use of alternative fuel vehicles for bus and shuttle fleets; encourage the use of alternative fuel vehicles for all ground access, such as rental cars and taxis, through preferred parking and other measures.
- Improve access to alternative fuels and ultra-low sulfur diesel fuel for ground support equipment, including baggage tugs.

## *Construction Mitigation Measures*

FAA should include a Construction Emissions Mitigation Plan in the FEIS and adopt this plan in the Record of Decision (ROD). In addition to all applicable local, state, or federal requirements, EPA recommends that the following mitigation measures be included in the Construction Emissions Mitigation Plan in order to reduce impacts associated with emissions of particulate matter (PM) and other toxics from construction-related activities:

### Fugitive Dust Source Controls:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

### Mobile and Stationary Source Controls:

- Reduce use, trips, and unnecessary idling from heavy equipment.
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification, where applicable, levels and to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. The California Air Resources Board has a number of mobile source anti-idling requirements which could be employed. See their website at: <http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm>
- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- If practicable, lease new, clean equipment meeting the most stringent of applicable Federal or State Standards. In general, only Tier 2 or newer engines should be employed in the construction phase.
- Utilize EPA-registered particulate traps and other appropriate controls where suitable to reduce emissions of diesel particulate matter and other pollutants at the construction site.

### Administrative controls:

- Identify all commitments to reduce construction emissions and update the air quality analysis to reflect additional air quality improvements that would result from adopting specific air quality measures.



- Identify where implementation of mitigation measures is rejected based on economic infeasibility.
- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.) Meet EPA diesel fuel requirement for off-road and on-highway, and where appropriate use alternative fuels such as natural gas and electric.
- Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.
- Identify sensitive receptors in the project area, such as children, elderly, and infirm, and specify the means by which you will minimize impacts to these populations. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.

### *Greenhouse Gases*

EPA recommends that, as practicable, the FEIS should identify the cumulative contributions to greenhouse gas emissions (GHGs) that will result from implementation of the project in future years. In addition, we recommend that the FEIS discuss the potential impacts of climate change on the project as well as any mitigation measures that could reduce the project's impact.

#### **Recommendations:**

- Identify the cumulative contributions to GHGs that will result from implementation of the project and discuss the potential impacts of climate change on the project.
- Identify specific mitigation measures needed to 1) protect projects from the effects of climate change, 2) reduce the projects' adverse air quality effects, and/or 3) promote pollution prevention or environmental stewardship.
- The FEIS should identify any sustainable building design and operational measures that can be identified as reducing GHGs with an estimate of the GHG emissions reductions that would result if measures were ultimately implemented

### **Water Resources**

#### *Jurisdictional Waters*

In determining the extent of waters of the United States on the proposed project site, the U.S. Army Corps of Engineers, in consultation with the EPA, conducts an analysis

according to the Memorandum Regarding Clean Water Act Jurisdiction Following *Rapanos v. United States* and the Memorandum for the Field: Coordination on JDs under CWA Section 404 in light of SWANNC and *Rapanos* Supreme Court Decisions. We recommend that the FEIS clarify whether or not such an analysis has been completed at each of the sites and whether a formal jurisdictional determination has been approved by the Corps. For jurisdictional waters occurring at the proposed sites, the FEIS should demonstrate compliance with the Clean Water Act Section 404(b)(1) Guidelines.

Additionally, EPA recommends that FAA evaluate and discuss potential secondary impacts to jurisdictional waters as part of the alternatives analysis.

**Recommendations:**

- The FEIS should clarify whether or not such an analysis has been completed for each of the sites and whether a formal jurisdictional determination has been approved by the Corps. For jurisdictional waters occurring at the proposed sites, the FEIS should demonstrate compliance with the Clean Water Act Section 404(b)(1) Guidelines.
- The FEIS should evaluate and discuss potential secondary impacts to jurisdictional waters as part of the alternatives analysis and include a comparison amongst alternatives.

*Clean Water Act Section 404*

Section 404 regulates the discharge of dredged or fill material into waters of the U.S. (waters), including wetlands and other special aquatic sites. If a 404 permit is required from the U.S. Army Corps of Engineers, EPA will review the project for compliance with *Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials* (40 CFR 230), promulgated pursuant to Section 404(b)(1) of the CWA ("Guidelines"). Pursuant to 40 CFR 230, any permitted discharge into waters must be the *Least Environmentally Damaging Practicable Alternative* (LEDPA) available to achieve the project purpose. In addition, no discharge can be permitted if it will cause or contribute to significant degradation of waters.

Identification of the LEDPA is achieved by performing an alternatives analysis that estimates the direct, secondary, and cumulative impacts to jurisdictional waters resulting from each alternative considered. Project alternatives that are not practicable and do not meet the project purpose are eliminated. The LEDPA is the remaining alternative with the fewest impacts to aquatic resources, so long as it does not have other significant adverse environmental consequences. Only when an analysis is correctly structured can the applicant or the permitting authority be assured that no discharge other than the practicable alternative with the least adverse impact on the aquatic ecosystem has been selected (40 CFR 230.10(a)).

The DEIS does not provide a comprehensive analysis of onsite alternatives to avoid or minimize impacts to waters. Under Section 404 of the CWA, the Guidelines require authorization of the LEDPA. To minimize direct and secondary impacts to waters, the applicant must demonstrate it is not practicable to reduce impacts to waters by constructing

the airport outside of waters. In addition, in addition to direct and temporary impacts, the DEIS should analyze the secondary impacts associated with each alternative.

EPA offers the following recommendations to help facilitate compliance of the project with the Section 404 Guidelines:

**Recommendations:**

- The FEIS should include an evaluation of the project alternatives in order to demonstrate the project's compliance with the 404(b)(1) Guidelines and authorization of LEDPA. The alternatives analysis should include a reasonable range of alternatives that meet the project purpose while avoiding and minimizing damage to waters of the United States, including wetlands (waters). If, under the proposed project, dredged or fill material would be discharged into waters of the US, the FEIS should discuss alternatives to avoid those discharges.
- The applicant should accurately disclose the extent of waters located within the alternatives being evaluated, along with a comprehensive analysis of the direct and secondary impacts associated with each alternative.

Pursuant to the Guidelines, the applicant must mitigate for unavoidable impacts to waters. Based on a review of the DEIS, the applicant has not developed a mitigation plan to compensate for unavoidable impacts.

**Recommendation:**

- A mitigation plan should be developed to mitigate for impacts to the acreage and function of waters impacted by the proposed project, consistent with the 404 Guidelines.

**Biological and Wildlife Impacts**

The site of the proposed replacement airport (Alternatives 6 and 7) contains desert tortoise, a federally listed endangered species. Any mitigation measures that resulted from consultation with the US Fish and Wildlife Service to protect the desert tortoise should be included in the FEIS and, ultimately, the Record of Decision (ROD). The FEIS should also clearly articulate under which alternative the desert tortoise would be least impacted and to what extent. If a new site is ultimately chosen for a replacement airport, EPA encourages FAA to confirm and strongly consider the reduced impacts to floodplains, jurisdictional waters and the desert tortoise under Alternative 7 versus the proposed project (Alternative 6).

Also, as EPA discussed in our scoping comments, the site appears to be proximate to the Mormon Mesa Desert Wildlife Management Area (DWMA) in the Northeastern Mojave Recovery Unit, a proposed conservation unit for the long term management of natural resources in the area. The FEIS should clearly identify how the proposed airport and associated development can incorporate the conservation strategies identified through the development of the proposed Mormon Mesa DWMA.

Finally, proposed designs for the airport should avoid and minimize impacts to all federally threatened and endangered species, as well as species of concern. The FEIS should clarify how FAA analyzed alternative airport locations at the Mormon Mesa Site that could result in lesser impacts to listed species and species of concern.

**Recommendations:**

- Mitigation measures that result from consultation with the US Fish and Wildlife Service to protect the desert tortoise should be included in FEIS and ROD for this project.
- FEIS should clearly identify how the proposed airport and associated development can incorporate the conservation strategies identified through the development of the proposed Mormon Mesa DWMA.
- The FEIS should clarify how FAA analyzed alternative airport locations at the Mormon Mesa Site that could result in lesser impacts to listed species and species of concern.

**Direct and Indirect Effects Due to Development of Existing Airport for Non-Aviation Use**

As previously mentioned above, a primary objective of the project is to “provide a change of land use at the existing airport to a non-aviation use (i.e., residential)” (at S-9). While we recognize that the City of Mesquite does not have a development plan for the airport site (at 5.75), EPA is concerned about the lack of environmental impact analysis for the future use of that site. Given the development of the site is clearly “reasonably foreseeable” and is specifically listed as a project objective, the FEIS should include a discussion of potential environmental and public health impacts associated with future development of the existing airport as a connected action to the proposed project.

The Council on Environmental Quality regulations require consideration of indirect and cumulative impacts. Indirect effects are caused by the action, and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to the induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems (40 CFR Part 1508.8).

Specifically, the FEIS should address potential environmental impacts due to the use of hazardous materials during the demolition of the existing airport, and the expected types and volumes of hazardous materials. The use of hazardous materials in demolition and future construction of the existing site should be addressed and included in a Hazardous Materials Management Plan. This Plan should address the proposed activities and methods to reduce the volume and/or toxicity of waste requiring subsequent management as hazardous waste under the Resource Conservation and Recovery Act (RCRA).

The FEIS should also identify if there is evidence of hazardous materials, soil contamination or groundwater contamination which may be present at the existing site. The FEIS should include protocols for handling hazardous materials or contamination found during construction and demolition, storing and disposing of hazardous wastes, and remediating any spill or discharge of jet fuel and other hazardous materials into the environment.

Further, RCRA Section 6002 requires Federal, State, local agencies, and their contractors that use appropriated Federal funds, to purchase EPA-designated recycled materials, including EPA-designated transportation, construction, and landscaping products. In addition, EPA supports deconstruction and materials reuse in projects where existing structures are removed. We recommend that the FEIS include a commitment to the reuse of material, where appropriate and feasible, and to the Buy-Recycled requirements. For further details, please see EPA's web site at <http://www.epa.gov/cpg>.

**Recommendations:**

- The FEIS should describe the reasonably foreseeable use of the existing airport site for non-aviation purposes.
- The FEIS should discuss the potential environmental impacts due to the use of hazardous materials during the demolition of the existing airport, and the expected types and volumes of hazardous materials.
- A Hazardous Materials Management Plan should address the proposed activities and methods to reduce the volume and/or toxicity of waste requiring subsequent management as hazardous waste under RCRA.
- The FEIS should also identify if there is evidence of hazardous materials, soil contamination or groundwater contamination which may be present at the existing site.
- The FEIS should include protocols for handling hazardous materials or contamination found during construction and demolition, storing and disposing of hazardous wastes, and remediating any spill or discharge of jet fuel and other hazardous materials into the environment.
- The FEIS should include a commitment to the reuse of material, where appropriate and feasible, and to the Buy-Recycled requirements. For further details, please see EPA's web site at <http://www.epa.gov/cpg>.

# SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

## ENVIRONMENTAL IMPACT OF THE ACTION

### *"LO" (Lack of Objections)*

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

### *"EC" (Environmental Concerns)*

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

### *"EO" (Environmental Objections)*

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

### *"EU" (Environmentally Unsatisfactory)*

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

## ADEQUACY OF THE IMPACT STATEMENT

### *Category 1" (Adequate)*

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

### *"Category 2" (Insufficient Information)*

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

### *"Category 3" (Inadequate)*

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."